

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

IVAN WEBB

* **CIVIL ACTION NO. 12-2644**

VERSUS

* **JUDGE DONALD E. WALTER**

**TOWN OF ST. JOSEPH AND EDWARD
BROWN**

* **MAG. JUDGE KAREN L. HAYES**

MEMORANDUM ORDER

Before the undersigned magistrate judge, on reference from the District Court, is a “Motion to Find Karl Koch in Contempt of Court” [doc. # 53] filed by plaintiff Ivan Webb. By this motion, plaintiff seeks redress under Rule 45(g) of the Federal Rules of Civil Procedure for Karl Koch’s failure to heed a subpoena requiring his appearance at a March 23, 2015, deposition at plaintiff’s counsel’s office, 830 North Street, Baton Rouge, Louisiana. *See* M/Contempt and Subpoena, Exh. B.

However, this court lacks authority to enforce the subpoena because compliance was required in the Middle District of Louisiana, not the Western District. *See* Rule 45(g) (“[t]he court for the district where compliance is required . . . may hold in contempt a person who . . . fails without adequate excuse to obey the subpoena . . .”).

Accordingly, Webb’s motion for contempt [doc. # 53] is hereby DENIED, without prejudice.¹

IT IS SO ORDERED.

In Chambers, Monroe, Louisiana, this 23rd day of April, 2015.



KAREN L. HAYES
UNITED STATES MAGISTRATE JUDGE

¹ As this motion is not excepted within 28 U.S.C. § 636(b)(1)(A), nor dispositive of any claim on the merits within the meaning of Rule 72 of the Federal Rules of Civil Procedure, this order is issued under the authority thereof, and in accordance with the standing order of this court. Any appeal must be made to the district judge in accordance with Rule 72(a) and L.R. 74.1(W).